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8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**
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12 HARRISON LAVERGNE, JR,

13 Petitioner,

14 v.

15 DANIEL PARAMO, Warden,

16 Respondent.
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Case No. EDCV 12-2172-DOC (LAL)

**ORDER ACCEPTING FINAL REPORT AND
RECOMMENDATION OF UNITED STATES
MAGISTRATE JUDGE AND DENYING
CERTIFICATE OF APPEALABILITY**

20 Pursuant to 28 U.S.C. § 636, the Court has reviewed the Petition, the Magistrate Judge's
21 Final Report and Recommendation, Petitioner's Objections, and the remaining record, and has
22 made a *de novo* determination.

23 Petitioner's Objections lack merit for the reasons stated in the Final Report and
24 Recommendation.


25 Accordingly, IT IS ORDERED THAT:

- 26 1. The Final Report and Recommendation is approved and accepted;
27 2. Judgment be entered denying the Petition and dismissing this action with
28 prejudice; and

1 3. The Clerk serve copies of this Order on the parties.

2 Additionally, for the reasons stated in the Final Report and Recommendation, the Court
3 finds that Petitioner has not made a substantial showing of the denial of a constitutional right.¹
4 Thus, the Court declines to issue a certificate of appealability.

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7 DATED: November 18, 2015



HONORABLE DAVID O. CARTER
UNITED STATES DISTRICT JUDGE

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28 ¹ See 28 U.S.C. § 2253; Fed. R. App. P. 22(b); Miller-El v. Cockrell, 537 U.S. 322, 336, 123 S. Ct. 1029, 154 L. Ed. 2d 931 (2003).

